

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 14 2005

Returned to applicant for correction DEC 22 2005

Corrected application filed _____

Map filed JAN 10 2006 under 73482

The applicant **Muddy Valley Irrigation Company** hereby make application for permission to change the **Point of diversion Place of use of a portion** of water heretofore appropriated under **Permit 21876, Certificate 8328**

1. The source of water is **Muddy River**
2. The amount of water to be changed **A diversion rate of 11.5 cfs from April 1 to October 1, and 6.52 cfs from October 1 to April 1, not to exceed 3,700 AF consumptive use, as a combined duty with the Application filed herewith (see remarks).**
3. The water to be used for **Same as heretofore**
4. The water heretofore permitted for **Irrigation and domestic**
5. The water is to be diverted at the following point **SW ¼ SE ¼; section 26, T. 14 S., R. 65 E., M D B & M or at a point from which the NE corner of section 26, T. 14 S., R. 65 E., M D B & M bears N. 29° 44' 20" E, a distance of 5,187.12 feet.**
6. The existing permitted point of diversion is located within **NW ¼ NE ¼; section 21, T. 15 S., R. 67 E., M D B & M or at a point from which the SE corner of section 28, T. 15 S., R. 67 E., M D B & M bears S. 11° 12' E, a distance of 10,131.06 feet.**
7. Proposed place of use **Use map attached to this change application. A portion of SW ¼ SE ¼, S ½ SW ¼ Sec 25, S ½ SE ¼ Sec 26, NE ¼ Sec 35, S ½ NE ¼, NW ¼ NE ¼, NW ¼, E ½ SW ¼, SE ¼ Sec 36 T.14 S., R. 65 E. SW ¼ SW ¼ Sec 31 T. 14S. R. 66E. NE ¼ Sec 1 T. 15S., R. 65 E., W ½ NW ¼ Sec 6 T. 15S., R. 66 E. all M D B & M. 646 acres total**
8. Existing place of use **See attached sheet. For map of existing place of use, use Proof of Beneficial Use map filed under 21847**
9. Use will be from **Jan. 1 to Dec. 1 (*)** of each year.
10. Use was permitted from **Jan. 1 to Dec. 1 (*)** of each year.
11. Description of proposed works **Diversion dam, canals, and laterals.**
12. Estimated cost of works **Completed**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **Completed**

15. Remarks: This application is one of two that are filed to facilitate a Lease of water from the Muddy Valley Irrigation Company to the Moapa Band of Paiutes pursuant to the Water Supply Agreement. The Diversion of Muddy River water to Tribal Lands under this and the second application that is filed herewith, is limited, pursuant to the Water Supply Agreement, to 3700 AFA consumptive use. The consumptive use term here is intended to mean diversions less returns of Muddy River Water. (*) for season of use, use question No. 2.

R. Michael Turnipseed P.E.
s/ R. Michael Turnipseed P.E.
204 N. Minnesota Street
Carson City, NV 89703

Compared sg/sc W/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit changes the point of diversion and place of use of a portion of Permit 21876, Certificate 8328, of the waters of the Muddy River as appropriated under Certificate 266 as it appears in the Muddy River Decree as entered March 12, 1920, in the Tenth Judicial District Court, State of Nevada, County of Clark.

This permit is issued subject to the terms and conditions and irrigation periods imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

The diversion rate under this permit shall not exceed 7.948 cubic-feet per second between April 1 and April 30 (winter) and 11.5 between May 1 and September 30 (summer) and 6.52 cubic-feet per second between October 1 and March 31 (winter).

The total diversion rates under Permits 73482, 73483 and 73695 shall not exceed 11.5 cubic-feet per second between April 1 and September 30 and 10.5 cubic-feet per second between October 1 and March 31.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 7.948 cubic feet per second, between April 1 and April 30 and 11.5 cubic-feet per second between May 1 and September 30 and 6.52 cubic-feet per second between October 1 and March 31.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 18, 2007

Proof of completion of work shall be filed on or before:

May 18, 2007

Water must be placed to beneficial use on or before:

April 18, 2008

Proof of the application of water to beneficial use shall be filed on or before:

May 18, 2008

Map in support of proof of beneficial use shall be filed on or before:

May 18, 2008

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 18th day of April, A.D. 2006


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

EXHIBIT "A"

0.88	acres	in	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 15,	T. 15 S.,	R. 67 E.,	M.D.B.&M.
30.05	"		SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
18.68	"		SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
11.52	"		NE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 21,	"	"	"
6.31	"		SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	"
1.58	"		NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
7.88	"		SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
5.79	"		NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 22,	"	"	"
39.39	"		NE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
7.55	"		NW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	"
13.82	"		SW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	"
27.07	"		SE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
39.73	"		SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
31.41	"		NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
33.91	"		NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
32.32	"		NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
9.76	"		NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
4.21	"		SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
40.00	"		SW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
39.76	"		SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
25.86	"		SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
18.00	"		NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 26,	"	"	"
1.70	"		NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
6.06	"		SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
0.17	"		SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
35.18	"		NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 27,	"	"	"
25.42	"		NE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
28.00	"		NW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	"
6.60	"		NE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	"
37.12	"		SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	"
31.26	"		SW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	"
26.52	"		SE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
31.82	"		SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
12.42	"		NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
21.09	"		NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
14.22	"		NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
29.84	"		NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
29.09	"		SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
39.70	"		SW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
9.82	"		SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
38.34	"		NE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 34,	"	"	"
33.88	"		NW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	"
33.86	"		NE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	"
28.29	"		SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	"
36.21	"		SW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	"
16.32	"		SE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
7.71	"		NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
25.32	"		NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
18.55	"		NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
31.48	"		NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 35	"	"	"
22.37	"		NE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
33.95	"		SE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
28.39	"		SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
34.94	"		NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
15.91	"		NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
5.18	"		NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
2.41	"		SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
22.65	"		SW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
29.16	"		SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"
38.10	"		SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	"

STATE ENGINEERING OFFICE

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Exhibit "A"

27.04	acres	in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T. 16 S., R. 67 E., M.D.B.&M.			
14.21	"	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30,	"	68	"
9.83	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"
6.14	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"
1.40	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"
18.97	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"
17.92	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"
27.71	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29,	"	"	"
29.15	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"
18.26	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
11.24	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
2.53	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, T. 15 S., R. 67 E.,	"	"	"
5.85	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26,	"	"	"
2.25	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"
2.66	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
13.54	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
.56	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
16.76	"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
6.07	"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
13.55	"	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27,	"	"	"
2.92	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"
3.04	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"
2.25	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
5.62	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
.79	"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
23.51	"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
6.19	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34,	"	"	"
10.86	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"
18.62	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
14.62	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"
21.77	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"
39.93	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"
35.99	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, T. 16 S.	"	"	"
8.66	"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
27.90	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
35.32	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"
7.09	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11,	"	"	"
15.02	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"
21.94	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"
14.40	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"
37.01	"	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12,	"	"	"
18.62	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"
18.05	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"
2.25	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"
28.12	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
13.50	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
37.23	"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
27.56	"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
7.65	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13	"	"	"
3.26	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"
2.81	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
18.67	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"
10.12	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
10.07	"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"
38.24	"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"
38.81	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"
.67	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"
8.89	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"
12.37	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"
3,498.86 Total Acres					

The place of use under this certificate shall not exceed 2784.75 acres within the lands described under the place of use of this certificate.